technical decisions denying a right of action in the form employed by the plaintiff. In other words, the very evil sought to be eliminated has been retained, though in a lesser degree. The tendency however, of late years, is toward an assimilation in special proceedings and civil action, both in code legislation and code decisions. In Section C, Chapter II, the cases show that while the code affects the procedure it does not alter the substantive rights of the parties, which remain the same as at common law.

Chapter III discusses the question in whose name the civil action should be brought. And the general answer is that the action should be brought by the "real party in interest." And yet, as shown by the cases, this is not always an easy matter to determine. While the answer is usually to be found in the substantive law, yet there are many cases where the question stands in special relation to the law of precedure. The cases in this chapter deal with Agents, Assignees of Choses in Action, and Trustees, and also with the real parties in interest under special statutory relations. This is by far the largest subject treated, embracing about two-thirds of the volume, the cases being numerous and covering all possible phases of the question, and gathered from all the jurisdictions governed by codes.

On pages 30 and 31 it is pointed out that the federal courts, both supreme and inferior, refuse to re-examine a case brought before them from a code state until the case is restated according to the forms of common-law pleading, since under the seventh amendment to the Constitution their proceedings must be under the rules of the common law.

The book is a valuable contribution to the case system of teaching law, and the subject has been handled in an intelligent and interesting manner and cannot fail to be of the greatest assistance to both teachers and students in a course upon the subject of code pleading.

T. R. W.

LAWYERS AND THEIR CLIENTS. (Anonymous.) *Effingham Wilson*, London, 1901.

The *raison d'être* of this booklet is intimated by its author to be the ignorance of Englishmen as to how they can best have their legal affairs conducted. He begins his introductory chapter in an apologetic strain, thus: "Without any doubt lawyers are a much abused race of men. Probably a larger number of opprobrious remarks are devoted to them than to the members of any other class of human beings; and yet it is probable that, despite the temptations to which many of them are exposed—temptations to which the bulk of mankind are utter strangers—the proportion of black sheep among the legal fraternity is not greater than in many another fold." He then proceeds to show the necessity of lawyers as evidenced by their existence in earliest times, and continues: "Surely there is a charm in the idea of any profession going on in its dull routine of work almost wholly unaffected by the often convulsive changes that have come over the world around it."

Coming back to earth our author tells us that in England, to-day, there are two kinds of lawyers, to wit, solicitors and barristers, and that in no case can a solicitor be a barrister at the same time, or a barrister be a solicitor. He then speaks of the ignorance of laymen, and even lawyers, as to the relative positions of the two kinds of legal advisers, and shows us that the popular delusion that a barrister can only be reached through a solicitor has no foundation in fact. Most of the rest of the book is concerned with the development of this idea, and we are given to understand that in most if not in all, cases the client would have his business done more cheaply and expeditiously if he were to consult a barrister first. We now perceive the real reason for the existence of the booklet. It is to open the eyes of a stupid public to the fact that in a characteristically English fashion they have been proceeding for years and years, merely because their ancestors did so, in a cumbrous and useless manner, as far as their legal affairs were concerned. "Go to the barrister," is the cry of our author. "The solicitor is a worthy fellow, but you had best go to his highly honorable brother, who will give you the same service more cheaply." This, then, is the reason why our author is anonymous. Clearly, he is a barrister, and so would naturally like to see much of the solicitor's business directed to his own branch.

This naturally leads to the question why there should ever have been two classes of lawyers in England. On this point our author says: "If any one were arranging the constitution for a new state, it is very probable that he might not consider it advisable to have two kinds of a lawyer; but it is by no means certain that he would be wise in combining the functions of the two branches in a single individual." What has the great American nation done to you, O barrister, that you should charge them with unwisdom, in this respect? Do you not know that, in practice, such a system has been found to work better than your own fossilized system whose distinctions are the outgrowth of an innate national craze for titles?

In short, the booklet is more of interest than of value—to an American, at least—as showing what curious results flow from an ultra-conservative habit of national thought, when directed into legal channels.

E. B. S., Jr.